1:Heckewelder M-5 (ca. 1800)1819
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CHAPTER VII.

GOVERNMENT.

ALTHOUGH the Indians have no code of laws for their government, their chiefs find little or no difficulty in governing them. They are supported by able experienced counsellors; men who study the welfare of the nation, and are equally interested with themselves in its prosperity. On them the people rely entirely, believing that what they do, or determine upon, must be right and for the public good.

Proud of seeing such able men conduct the affairs of their nation, the Indians are little troubled about what they are doing, knowing that the result of their deliberations will be made public in due time, and sure that it will receive their approbation. This result is made known to them by the chief through the orator, for which purpose they are called together and assemble at the council house; and if it be found necessary, to require a contribution of *wampum*, for carrying the decision of the chiefs into effect, it is cheerfully complied with by the whole assembly.

The chiefs are very careful in preserving for their own information, and that of future generations, all important deliberations and treaties made at any time between them and other nations. Thus, between the years 1770 and 1780, they could relate very minutely, what had passed between William Penn and their forefathers, at their first meeting and afterwards, and also the transactions which took place with the governors who succeeded him. For the purpose of refreshing their own memories, and of instructing one or more of their most capable and promi-

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Their belts of wampum are of different dimensions, both as to the length and breadth. White and black wampum are the kinds they use; the former denoting that which is *good*, as peace, friendship, good will &c., the latter the reverse; yet occasionally the black also is made use of on peace errands, when the white cannot be procured; but previous to its being produced for such purpose, it must be daubed all over with chalk, white clay, or any thing which changes the colour from black to white. The pipe of peace, being either made of a black or red stone, must also be whitened before it is produced and smoked out of on such occasions.

Roads from one friendly nation to another, are generally marked on the belt, by one or two rows of white wampum interwoven in the black, and running through the middle, and from end to end. It means that they are on good terms, and keep up a friendly intercourse with each other.

A black belt with the mark of a hatchet made on it with red paint, is a war belt, which when sent to a nation together with a twist or roll of tobacco, is an invitation to join in a war. If the nation so invited smoke of this tobacco and say it smokes well, they have given their consent, and are from that moment allies. If however they decline smoking, all further persuasion would be of no effect; yet it once happened, that war messengers endeavoured to persuade and compel a nation to accept the belt, by laying it on the shoulders or thigh of the chief, who, however, after shaking it off without touching it with his hands, afterwards, with a stick, threw it after them, as if he threw a snake or toad out of his way.

Although at their councils they do not seat themselves after the manner of the white people, yet the attitude they place themselves in is not chargeable to them as a want of respect. Faithful to the trust committed to them, they are careless of ceremonies, from which the

[erratum. See cat. 116, p. 378. Analyst]

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623 nation cannot derive any benefit. They seat themselves promiscuously around a council fire, some leaning one way, some another, so that a stranger on viewing them, might be led to conclude they were inattentive to what was said, or had become tired of attending. Not so! even sitting in this posture gives them the opportunity of being intent on what is said, and attentive to the subject under their consideration. They have no object to look at, which might draw off their attention. They are all ears, though they do not stare at the speaker! The fact is, that nothing can draw their attention from the subject they are deliberating on, unless the house they are sitting in should take fire, or be attacked by an enemy.

To prove the correctness of the above assertion, I shall relate the following fact, which happened at Detroit in the winter of 1785 and 1786.

When two most audacious murderers of the Chippeway nation, who, for many months, had put the town and whole country in fear, by their threats and the daring murders they had committed in the settlement, were taken, and brought before the commandant, (their chiefs having been previously sent for, and being now assembled in the council house,) heard him pronounce the words; "that according to the laws of their Father (the "English) they should be punished with death," the younger of the two, who was the son of the other, sprang from his seat, and having forced his way to the door, endeavoured with a knife or dagger he had hidden under his blanket, to work his way through the strong guard placed outside of the door and in the street to prevent their escape; in this attempt, however, he was stabbed and fell; all which occasioned much noise and commotion without, and not a little fear and uneasiness within, among the spectators and officers of government; yet, not one of the chiefs, who were many in number, either moved from his

[recede. See cat. 116, p. 348. - Ana'lyst]

2:Newcomb E-4, 5 (1951-1952) 1956
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622 In the seventeenth century sachems had limited power and authority and, incredibly in the eyes of Europeans, had no special servants, prerogatives, or the like.[148] Pastorius, for instance, in a letter written in 1694 said:

> These very kings go forth with the others to hunt, shoot the wild animals, and support themselves by the work of their own hands. They have neither servants nor lacqueys, neither housemaids nor court-ladies, and what use has one for a master of horse who keeps no horse, but always goes on foot? In like manner, no court-steward is needed, where there is no one to be cared for besides one's self and one's wife and children.[149]

In the seventeenth century these clan leaders owed allegiance to no [69] higher authority; there were no tribal chiefs.[150] By the eighteenth century leaders had appeared who wielded much more power over larger groups.

● 623 Despite the little real authority which sachems had, their councils were solemn, ceremonial occasions. Penn and Denton provide early and clear descriptions of how these men governed; their accounts are confirmed by a number of other investigators:[151]

> Every king hath his council; and that consists of all the old and wise men of his nation, which perhaps is two hundred people. Nothing of moment is undertaken, be it war, peace, selling of land, or traffic, without advising with them, and, which is more, with the young men too. It is admirable to consider how powerful the kings are, and yet how they move by the breath of their people. I have had occasion to be in council with them upon treaties for land, and to adjust the terms of trade. Their order is thus: The king sits in the middle of an half-moon, and has his council, the old and wise, on each hand. Behind them, or at a little distance, sit the younger fry in the same figure.[152]

Denton said:

> When their King or Sachem sits in Council he hath a company of armed men to guard his person, great respect being shown him by the People, which is principally manifested by their silence: After he hath declared the cause of their convention he demands their opinion, ordering who shall begin: The person ordered to speak, after he hath declared his minde tells them he hath done: no man ever interrupting any person in his speech, nor offering to speak though he make never so many or long stops, till he says he hath no more to say: the Council
> 623 having all declared their opinion, the King after some pause gives the definitive
> 681 sentence, which is commonly seconded with a shout from the people, every one seeming to applaud & manifest their assent to what is determined: If any person be condemned to die, which is seldom, unless for Murder or Incest, the King himself goes in person (for you must understand they have no prisons, and the guilty person flies into the Woods) when they go in quest of him, & having found him, the King shoots first, though at never such a distance, & then happy is the man can shoot him down, & cut off his — which they commonly wear, who for his pains is made some Captain or other military officer.[153]

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[148]Lindestrom, 1925, p. 208; Thomas, 1912, p. 335; De Laet, 1909, pp. 57-58; Van der Donck, 1909, p. 202.

[149]Pastorius, 1912, pp. 425-26.

[150]Lindestrom, 1925, pp. 138-50.

[151]Holm, 1834, p. 133; Thomas, 1912, p. 335; Heckewelder, 1881, pp. 107-11; Zeisberger, 1910, pp. 93-93; Harrington, 1913, p. 211.

[152]Penn, 1882, pp. 364-65.

[153]Denton, 1845, p. 10.

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426 672 If a debtor is unable to pay, the creditor duns his friends, who must pay and rarely refuse to do so. Occasionally, the debts of friends must be paid years after they were contracted, even after the death of the debtor, if only the debt can be proven.

685 A purchaser, dissatisfied with what he has bought or the price paid, is allowed to return what he has purchased and recover what was paid. One who has done an injury, killed a hog or chicken or occasioned loss in some other way, and obstinately refuses to make good the injury, cannot be touched. His friends may make good the loss. Should the offender, in the long run, not heed the admonitions of his friends, they will drive him away.

721 Hence, it is that in wars with whites practically all the tribes have been involved more or less. If the nation, as such, has taken no part in the war, these unmanageable offenders have gone with the fighting peoples, despite the warnings and threats of the chiefs. The same is true of the present conflict.[223] The Delaware chiefs had determined at its beginning to remain neutral, daily admonishing their people not to allow themselves to be persuaded to go into the war. The nation as such remained true to the determination of the chiefs, being constantly and earnestly watched, but obstinate offenders took part against all order and command.

619 Though the Indians are a free people and not subject to the rule of any one, each nation, considering itself a unit, has a kind of government of its own choosing, imperfect as it may be. This holds good of all the North American nations. A nation is constituted of three principal Tribes, the first or leading tribe is called *Packgango*, i. e., the tribe of the great Tortoise, the second, *Blem*, the Turkey Tribe, the third, *Ptucksit*, the Wolf 622 Tribe. Each of the tribes has its chief and each chief his coun- ● 623 sellors. The chief of the Tortoise Tribe is the first in rank and, together with the other two chiefs, deals with all matters of national interest, particularly, such as have reference to nations with whom, according to treaty, friendly relations are to be cultivated. A chief may not presume to rule over the people, as in that case he would immediately be forsaken by the whole tribe, and his counsellors would refuse to assist him. He must

3:Zeisberger M-5 (1767-1780)1910
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ingratiate himself with the people and stand by his counsellors. 622
Hence, it is that the chiefs are generally friendly, gracious, hos- 623
pitable, communicative, affable and their house is open to every Indian. Even strangers who come on business put up in the chief's house and are accommodated with the best it affords. The ambassadors of other nations generally lodge with the chief 648
and they are well cared for. If their number is too great, and it 622
has happened in connection with weighty affairs concerning 623
several nations that ten or twenty men of other nations have arrived at the principal chief's house, they are put into a separate house and provided with every thing at the public expense, the counsellors taking care that they are entertained most hospitably in order that the nation may be in good repute amongst other nations.

In externals a chief has no advantages above others. He 622
must provide for his own maintenance, for no one is under any obligation to supply his wants. His wife, whose duty it is to provide sufficient corn for the year, is usually assisted by other women in her plantations, for much corn is required in such a house. If the chief is young and able to hunt he will, his official duties permitting, occasionally join the chase. He will even secure his own firewood as far as possible. In case he is old his friends, of whom there are usually many, and other Indians will furnish him with game, especially if he be popular.

The council house is either the house of the chief, which is 623
commonly large and roomy, or a building erected for that pur- 344
pose. Here public councils are held, that is, such where messages which have arrived from whites or other Indians are published. Every one may listen and the messages are also discussed. In case there is something of particular importance to consider, only the chief and the counsellors assemble and determine upon the matter. The old chief Netawatwes[259] used to lay all affairs of state before his council for consideration. When they gave him their opinion, he either approved of it or indicated what was missing or not correct in the speech, upon which they would make the necessary amendments. Thus he kept them active and was held in great esteem. 211

The chief has the council bag in his possession, as also the 217
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treaties that have been made with the governors of the provinces and other documents, although they are not able to read. These constitute the archives, where all messages and reports are kept. With each message or speech there are one or more strings or belts of wampum. These, with the message or speech after the latter have been properly considered and answered, are deposited in the archives.[200] In connection with such a message there may be a string or belt to each point, for as soon as the deliverer of a message has finished with a point he gives over a string or belt to the chief, gets out another and continues to speak until his message has been fully delivered when he announces that he has done. If the strings and belts are handed about from one to another in the council this is an indication that the message is being favorably received. It may happen, however, that the chief does not take the belt into his hands but pushes it to one side with a stick, in which case no one will touch it. The messenger who has brought it must in this case take it back. This signifies that his message does not find approbation and it is accounted a disgrace. Such a rejected belt may be a war belt summoning the people to war, or it may be a belt admonishing them to maintain peace, or something else that is not agreeable may be required.

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The wampum which Europeans make and barter to the Indians is made of sea-mussel shells. One variety is quite white, the other dark violet, a quarter of an inch in length, an eighth of an inch in thickness and round. A hole is bored lengthwise through each shell, large enough to admit a heavy cord. They are strung like beads. Wampum constitutes the money of the Indians. Two hundred shells cost a buck hide, [435] or a Spanish dollar.[201] Before the white people came they had no such wampum for want of proper instruments to make it.[202] The white are a little less in value than the dark.

Strings are made of the beads that have been strung as described. Two, four or six placed side by side and properly fastened form a string. A string is usually half a yard long, sometimes longer. Upon delivery of a string a long speech may be made and much said upon the subject under consideration.

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But when a belt is given few words are spoken, and they must be words of great importance, frequently requiring an explanation. Belts are of pure wampum worked in all manner of clever forms by the Indian women, they being informed in each case what the figures must be, inasmuch as the figures must correspond with the message. A belt is three or four inches broad and about a yard long.[263] Neither color nor the other quantities of wampum are matters of indifference, but have an immediate reference to those things which they are meant to confirm. A white string of belt signifies a good message and such a belt may have figures in dark wampum. If a treaty is to be made or renewed with another nation the message is commonly accompanied by a Road Belt. This is a white belt with two rows of black wampum running the entire length with a white row between the two black rows also running the entire length of the belt. This signifies that the way from one nation to another has been cleared of all brush, trees and stones. At the ends of the belt the two nations are likewise represented by two small dark spots. If a string or belt of wampum is intended to confirm a warning against evil or an earnest reproof the belt delivered is in black. When a nation is called upon to go to war or war declared against it the belt is black or marked with red, having in the middle the figure of an hatchet in white wampum. A peace belt is quite white, a fathom long and a hand broad and of not inconsiderable value.

A chief has more use for the white wampum than the black. In particular cases and upon extraordinary occasions a voluntary contribution of wampum is made by the whole tribe or nation. The rich are considered as principal supporters of the chiefs and furnish them with wampum in an emergency, which rarely occurs more than once in three years. The usual expenses are defrayed from the treasury chest of the council, which is never empty, because when wampum is paid out usually an equal amount comes in. In general the chief does not speak in council, but has his speaker to whom he communicates his sentiments briefly and leaves him to expatiate on them. The latter must be able to put the whole matter in a speech well arranged, which requires a clear and open understanding, a faithful mem-

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624 ory, experience in the affairs of the state and a knowledge of the formal language employed in council, which differs as much from the common language as does the language used by the whites in legal procedure, from the language of ordinary intercourse.

202 When a message is to be sent, this is entrusted to two or more messengers. One of these is to be the speaker, the others being ready to remind him of anything he might forget. A message is formally entrusted to ambassadors at a meeting of the Council. It is repeated a number of times and the one appointed speaker of the messengers must in turn repeat it several times, until he is able to deliver the message with facility and in proper form. The messengers are then fitted out with necessaries for the journey and dispatched. As the whole of a message is to be delivered verbally, a speaker must be a sensible and reliable man. Young men, destined for such service, are admitted as hearers to the council, where they may learn much. Any one employed as messenger is held in high regard. They must be young men, of great endurance on the march, who will not be stopped by bad weather or high waters. On occasions of extreme importance, as in time of war, messengers may have to be on the march night and day, finding their way in the darkest night on paths that a white man could scarce follow in daytime.

●623 The council meetings are as quiet and orderly as if they were acts of devotion. Noises, talking and laughing are not heard, even though the young may be present. All pay strict attention to the speaker. The counsellors are called together by a servant and when they appear, they welcome one another, [276] shake hands and express their joy at meeting. Each brings pouch, pipe and they smoke a considerable amount of tobacco that has been mixed with dried and crushed sumac leaves. [562] Women are never admitted to the council; in matters of public interest they may stand about the house and listen, and they account it an honor when they are admitted, to hand victuals and keep up the fire. Provisions must always be in plenty in the council-house, for eating and deliberating alternate.

The principal chief, either himself or through a speaker, sets forth the subjects that shall engage the attention of the

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council in a solemn speech. If the subjects are of great importance all who take part in the discussion stand as they speak. Each counsellor has the liberty to utter his sentiments and having made his speech, sits down. No one interrupts the speaker but all sit silent and attentive as if engaged in an act of devotion. The speeches are delivered in a pleasing manner and the words of the speakers flow as readily as if they were read from a manuscript. Whoever visits such an assembly, whether white man or savage Indian, cannot but be profoundly impressed.

A subject is often very thoroughly and extendedly discussed. The chiefs and counsellors in turn give their opinions and suggestions. When all have spoken, one of them is called upon to sum up the principal parts of all the speeches in a concise manner. This is done extempore and the necessary amendments proposed, every subject being brought into as short and comprehensive statement as possible. Before deliberations begin, the strings and belts of wampum must be placed in due order, for whatever is said without being confirmed by them is considered vain and without effect. They are so accustomed to this that when they communicate the contents of a message, merely in private conversation, they cannot do so without something in their hands, a strap, a ribbon or a blade of grass. Holding some such thing in his hand the speaker will recount the points in proper order as with the strings or belts of wampum thereto belonging.

When chiefs are compelled to give answer to a proposition of which they do not approve, but which they have consented to consider because they did not wish openly to offer an affront, they are able to frame their reply in so figurative and equivocal a style as to allow of almost any desired interpretation or application. Those who receive such an answer, know as little after the reply has been given as before, but are ashamed to ask further, lest they should be regarded as stupid and because chiefs are supposed to understand everything.

When treaty of peace is made with another nation it is determined that it shall last as long as sun and moon shine or rise and set, as long as the stars are in the heavens and the rivers

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were too powerful for them, they pretended that it would not be good for the nations to wage war continually and that one nation ought to be the woman and that nation must be the Delawares, as they were the greatest warriors. Afterward they alleged that they had conquered the Delawares. In the war which began in 1755 and lasted until the sixties the Delawares challenged the Six Nations on the occasion of a Treaty in Pittsburg, but the latter returned no answer."[22] 648

Of late years the Delawares have amazingly increased in reputation through the wise management of the Chief Netawatwes. This man spared no pains to gain the friendship of all the nations. He sent frequent embassies to the grandchildren, and showed himself a true grandfather. When the Delawares sent a message to the allied nations, the speech began with each string or belt of wampum, "Grand-children;" the nations address the Delawares, "Grandfather." The Wyondats and Six Nations are addressed "Uncle," and the Europeans, "Brother." The speech is generally addressed directly to the chief, though meant for the whole nation.

The nations generally addressed the French as "Father," when the latter were in possession of Canada and had intercourse with them. The same appellation was transferred to the English when they conquered Canada. In the other colonies Europeans and Indians called one another "Brothers." This practice was followed by Sir William Johnson.

Indians explain the origin of Nations and their names by saying, and this not unlikely, that the inhabitants of towns or districts named themselves according to the places where they dwelt. Thus even at the present time Delawares who live in Goschachgünk are commonly called Goschachgiwak, that is Goschachgühlser — "people of Goschachgünk." [773]

A message sent or a speech in council goes or is delivered in the name of the three tribes, signifying the three chiefs. The Turtle tribe is named first, next the Wolf Tribe and the Turkey Tribe last. 202 623 648

When a message is returned, not having been accepted, the belt or string of wampum that has been rejected is thrown on the floor of the council house, after it has been announced why

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202 the message was not welcome. The refusal is considered a great
●623 affront and no one of the chiefs or counsellors will touch the
648 rejected wampum belt or string. This lies on the floor, the men of the Council leaving the place, until some old woman removes it.

622 Concerning usages and ceremonies connected with the election of a chief the following should have been added. If a chief of the Turtle Tribe is to be elected his own tribe does not choose him but the chiefs of the other two tribes do this. Similarly, if a chief of the Wolf or Turkey Tribe were to be elected, the tribe concerned would have no part in the election. The election is conducted in the following manner. As each tribe lives in a town of its own, the two chiefs, upon whom the election devolves, meet with their counsellors and people at an appointed place, and after all necessary preparations have been made — some thirty belts of wampum are required and a number of speeches arranged for — they move in a procession toward the town where the election is to take place. The two chiefs head the procession and one of them sings along the whole way the speeches that are to be made to the chief about to be elected, singing in a tone used on this and no other occasion. Thus they, still singing, enter the town where the chief is to be elected. They find everything prepared for the occasion, enter the council house at the east end, pass on one side the two or three fires that have been made and sit down on the other side. Next the inhabitants of the town enter, welcome the guests by shaking their hands and sit down on the other side of the fire. One of the two chiefs, in a singing tone, opens the proceedings by explaining the object of the meeting, condoling with the chief elect, wipes the tears from his eyes, clears his ears and throat, removes all sorrow on account of the departed chief from his heart and comforts him. Next he declares him to be chief and formally fills the office made vacant by the death of the former chief. He then exhorts the young people to be obedient to their new chief, whenever he shall require their assistance, and explains to them how they are to conduct themselves toward the chief. The speech is confirmed by means of two belts of

614 social unit was exogamous remains indeterminate; in the nineteenth century the clans, but not the phratries, were found to be exogamous.

615 For the seventeenth century there is no evidence that the phratries functioned as sub-tribes and it seems safer for the present to assume that this was a later development.

Political Organization

622 623 Heads of families, warriors and aged men from all the local groups made up the councils of the bands and tribe. They were consultants of a chief whose position was hereditary through the female line (Penn, p. 39; Lindstrom, p. 205). In the following description of a conference between Penn and the Delaware, the relationship between the council and chief as well as their method of conducting such a meeting are elucidated:

> "Every King hath his Council, and that consists of all the Old and Wise men of his Nation, which perhaps is two hundred People: nothing of Moment is undertaken, be it War, Peace, Selling of Land or Traffick, without advising with them; and which is more, with the Young Men too...
>
> I have had occasion to be in Council with them upon Treaties for Land, and to adjust the terms of Trade; their Order is thus: The King sits in the middle of an half Moon, and hath his Council, the Old and Wise on each hand; behind them, or at a little distance, sit the younger Fry, in the same figure. Having consulted and resolved their business, the King ordered one of them to speak to me, he stood up, came to me, and in the Name of his King saluted me, then took me by the hand, and told me, That he was ordered by his King to speak to me, and that now it was not he, but the King that spoke, becausewhat he should say, was the King's mind...
>
> During the time that this Person spoke, not a man of them was observed to whisper or smile; the Old, Grave, the Young, Reverend in their Deportment; they do speak little, but fervently, and with Elegancy..."

The points made here by Penn are all confirmed by later writers (Penn, pp. 40-42; Harrington, 1913, p. 211; Heckewelder, 1881, pp. 107-11; Ziesberger, 1910, pp. 92-93.).

622 The most important duties of these chiefs, before the advent of the whites, were probably to help settle quarrels among their people, be official host to all outside visitors and to confer with the council of the whole tribe which met under a head chief, who was always of the Turtle phratry. The position of this head chief and the constituency and duties of his council were the same as that of the band chiefs in relation to their members. In addition, he officially represented

	Williams	Van der Donck	Lindeström	Zeisberger	Heckewelder	Johnston	Pipe	Chippa	J. W.	W. T.	E. R.	W. L.
+ = element present									1623	1645	1781	1843
− = element denied						1683	1694	1827	1858	1789		
(+) or (−) = source ambiguous												
• = informant could not or would not say												
s = some, sometimes, or several												
† or * = see Ethnographic Notes, pp. 79-137 for additional information												
Chiefs—Continued												
237. War chief chosen through vision power				+	+				+	+	+	+
238. Body of counselors †	+	+		+	+	+	+	+	+	+	+	+
239. Name ᵛupwaenowuk							+		(+)	+	•	+
240. Chosen by people						+	+	•	+	+	+	+
241. Consider all matters of importance to tribe		+		+	+	+	+	+	+	+	+	+
242. Counselors and chiefs only present at council meetings		S?		s	s	+	+	.	s	s	s	s
243. All adults except women admitted				s				+	+	s	s	s
Justice												
244. Any mode of compelling payment of debt				+		−	−	−	−	−	−	−
245. Relatives of debtor make restitution				+	+		s		+		+	+
246. Creditor uses force							s	+	*+		−	−
247. Redress for civil injuries (theft)	*+	+	+	+	+	−	−	−	+	−	+	+
248. Injured party applies to chief		+			−		+		+		+	+
249. Any punishment inflicted by nation if restitution is made		−		−	−	−	−	−	−	−	−	−
250. Injured party has right to kill thief on second offense		−			+			+	+		+	+
251. Murder punished	+	+	+	+	+	+	+	+	+	+	−	+
252. By nation	+	−	+		−		−	−	+		−	+
253. Breach closed by presents		+		+	+	+	+	+	+	+	−	+
254. Amount of wampum as presents †				+	•	+	+	+	+	+	•	+
255. Lacking presents, revenge by relatives	+	+	+		+	+	+	+	+	−	+	+
256. Revenge duty of any individual		*+			−	−	−	−	*+	•	−	*+
257. Any one interfere from duty		*+				−	•	−	−	•	•	•
258. Guilty submits	+	*−				+	+	+	+	+	•	s
259. Feud arise from revenge		*+					−	−	−	−	•	−
260. Revenge approved by nation	+		+	+		+			+	+	+	+
261. Crimes. Theft	+	+		+	+	+	+	+	+	+	+	+
262. Rape		+					+		+	+	+	+
263. Adultery	+	+		+			+	+	+	+	+	+
264. Desertion of children								+	+	(+)	*+	
265. Drunkenness and slander	+							+	+	(+)		

9: Kinietz E-4, 5 (1938) 1946
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621 a nephew, his sister's son, or sister's daughter's son. The se-
614 lection of a successor might be made by an incumbent with the approval of the people. Each of the three divisions had a chief who was chosen by a general council of chiefs and wisemen, possibly with the exclusion of the tribal chiefs and wisemen of the division involved. The installation of the tribal chief was conducted by the head chiefs of the other two divisions.

643 The various sources and informants were unanimous in saying that there was a boundary between the authority of the civil chief and that of the war chief (232). The superiority of the civil chief in peace time was also affirmed by all (233). The reversal of the relative power of each in war was likewise maintained without dissent (234). Power received through visions
[781] was a prerequisite to the office of war chief (237). Captain Pipe's account made no mention of vision power, but his statement of an election similar to that of a civil chief did not preclude this requirement. W. L. stated that a man must have received power through a vision to become eligible for election as a war chief.

623 The existence of a body of wisemen or counselors was reported in every period (238). These men were chosen by the people, according to the information from the third and fourth periods (240). The accounts of the earlier periods did not touch upon this matter. The council or body of wisemen was reported throughout all periods to consider all matters of importance to the tribe (241). The functions of the council were evidently considerable; although called only by the chief, their decision after due deliberation determined the course of action of the chief (238). Women had no voice in council and were only admitted at certain times (243).

Justice

681 According to the idealistic retrospect of W. T., originally, when the Delaware had things their own way, there was no theft, murder, rape, adultery, or any other crime or misdemeanor and hence no punishments or ways of handling such matters were
000 necessary. Since debts were not discussed in detail in the first

9: Kinietz E-4, 5 (1938) 1946
NM7 Delaware NM7

Chiefs

216. Civil chieftainship hereditary 643

Captain Chipps said that the brother of a chief, if he behaves well, must be named as chief in preference to the son and that the sister's son also succeeded in preference to his own son, all of which was determined by the council.

E. R. thought that the chieftainship was hereditary but was not certain of the succession.

221. Election of civil chief

Captain Pipe—At the creation of the world the Great Spirit 643 himself resided with the Indians and regulated their intercourse 666 with each other. When he left the earth he told them that he would depute a person possessing all his own virtues, at whose death they should choose a successor having as nearly as possible the same qualifications. Since that period the office of chief has been elective, yet the election is not made by the people. Merit alone ensures to a man this distinguished honour. There is among them a body of men called *Lupwaaeenõãwuk* or Wise Men, (the [623] plural, from *Lupwaaõãkum* wisdom and *Lũnnoa* a man). These men from their conduct in early life receive the attention and respect of the aged and as they grow in years they gradually assume the power which is attached to the wise men or counselors. At length they are received as members of that powerful body and become officially interested in the proper regulation of national affairs. All civil affairs are conducted and ordered by them and when the office of chief becomes vacant they assemble and in the presence of the *people* they consult together upon the qualifications of the aspirants and having decided they appoint another meeting for his inauguration, to which, as to the first, they invite the nation generally. At the appointed time the *Lupwaaeenõãwuk* together with the elected chief and such spectators as choose to attend, assemble at a grand lodge prepared for the purpose, and one of the body in a speech adapted to the occasion declares to the people their choice and then turning to the chief addresses him on the importance of a firm, independent

9: Kinietz E-4, 5 (1938) 1946
NM7 Delaware NM7

CAPTAIN CHIPPS—They cannot be *principal chiefs* until they are 50 years old. 643

J. W.—35 to 40.

W. T.—Formerly, when Delaware lived to age of 300 years, a man had to be 70 to become a chief.

E. R.—Over 25.

W. L.—No particular age.

232. Boundary line between civil and war chief

CAPTAIN PIPE—Formerly the authority of the War and Council chiefs was distinctly defined. To use their expression, in a time of peace the war chief sat in the ashes, but upon the declaration of war the village or council chiefs took his place, and the movements of the war depended solely upon him. At this day however they have equal authority in treaties and the like, that is to say, according to their influence as men.

238. Body of counselors

JOHN JOHNSTON—The Counselors are appointed or chosen by the people according to their merit. Their duty is to assist in any good work that they are doing and to promulgate and cherish order. 623

CAPTAIN PIPE—The ceremonies attending the appointment of chief are practiced also at the reception of one of the wise men into that formidable body, excepting the placing a belt around the neck, which is not used at all. The Lupwaaeenõãwuk are not restricted to any particular number, but accessions are made of such as merit an admission from the general tenor of their lives. The members of this body, or some one of them as occasion may require, are appointed to carry into effect the orders of the chiefs, and any employment, however degrading, is considered by them an honour under such circumstances. In the distribution of annuities and of presents their services are indispensible, and while young they carry the kettles of the war parties while on the march. 643 666

Unimportant or ordinary occurrences are considered as within the superintendence of the Chiefs without consultation or advice; such as regulating the internal affairs of their villages, settling disputes, etc.; but affairs of consequence are never acted upon

10: Speck E-4, 5 (ca. 1925) 1931
NM7 Delaware NM7

Two shell-rattles they make of a wild creature.[1] One they call the leading rattle and the other, greater in size, is called, traditionally, timber-terrapin. And those are used when they pray every night. Here just at the right hand side of the door they place these shell-rattles. When the Master of Ceremonies arrives he says, "Now then, my brothers and my sisters, now as we begin we are approached and touched by those man-i't-u who are carrying this ceremony of worship."[2] That is how they employ them there. And both the dance-leader and his follower each hold in their hands these shell-rattles when they are dance-leading. The leading shell-rattle does not have a great sound, but that of the follower has a great sound, it is said traditionally, for he does answer when they are rattling.[3]

[1] It has been mentioned how reverential it is to put to the service of man, the body parts of wild creatures—the native wild fauna which are "pure" by contrast with the defiled animals of a domestic nature. The rattles used by the dance-leaders who sing the recitatives of their visions are shells of (Cistudo) the Box Turtle.

[2] This is a synonym for the usual term, pa·tamwe·'k·an.

[3] For illustrations of these large and small rattles see figs. 2, 15.

Every year the old men hold a council. The day is named, it is talked over, and they decide who shall bring in the ceremony.[1] And they name the person who shall carry the six yards of wampum. And generally they name three men and three women Attendants going to see them.[2] They select the one who is willing to act as leading Attendant for the two Turkey group representatives, and the two Turtle clan representatives and the two Wolf group representatives are chosen.[3]

These leading Attendants, one and the same, belonging in the group of the Master-of-Ceremonies, he who opens the ceremony. Now when the Attendants have accepted the call, forthwith a shoulder-length of wampum they are given as a symbol of being blessed.[4] And announcement is made of what day in the future they shall go into camp at the Big House. When they finish cleaning this House[5] they also plaster it with clay and all then about outside rake it clean. Then

[1] This is the sacred duty of assuming full responsibility for the performance, the term temi·ke being a formal one.

[2] To inform them of appointment and secure their acceptance.

[3] In these terms denoting the triple social subdivisions of the Delawares (see discussion on p. 75), we encounter metaphorical conceptions of the animals designated. Thus pele·' denotes a bird of the order Gallinae, typified in Delaware by the turkey cognate throughout northern and eastern Algonkian (bineo, Ojibwa, peleo. Montagnais-Naskapi, "partridge") Puk·owa'ŋgo, denoting the tortoise group (Testudinata) literally means "sticky heels," in allusion to the dragging motion of the curious, ponderous creature in lifting his hind feet from the ground. Tu'k·wal·t, literally "round foot" is figurative for the quadrupeds which seem according to my information to include any of the mammalia.

[4] The term used is a formal religious phrase naxpango·'ma·n not translated by a single word, but which I have rendered "being given as a symbol of blessing."

[5] The informant was undecided whether or not to use the term menda·'en for the Big House, which is considered to be an old Munsee term.

[454(c)]

124 I am very anxious to know. I asked an old
614 Delaware this morning, and he very coolly
582 told me that these questions were too small, by which he meant, I suppose, that it was prying into family matters rather impertinently.

614 It is by means of these subdivisions with
582 the prohibition of intermarriage that des-
611 cent in the female line is secured.

Lemuel R. Ketchum[90A] says:

622 The Delawares have three Heads or great chiefs, one for each tribe. This chief is called Sa-ke-ma. It means Principal Chief. It is the name of the office, or the title of the person equivalent to President or King. They also have two subordinate chiefs. These chiefs together are called Ka-ke-um-ha-suk, or the chiefs. The term also includes the three
[623] head chiefs, and is used in contradistinction to councillors. The office has no special name. These two are inferior. If the three head chiefs decide upon a measure the two inferior must submit, but if two of the head chiefs and the two inferior chiefs should agree and the third head chief should stand out, the thing could not be done. The principal power is with the head chiefs. The three head chiefs can never go out to war, but the two inferior chiefs may. They are not, however, called war chiefs. Besides
623 these three the wise and experienced men of the nation are called councillors or Ha-ha-che-nowl-se-chick, which means simply councillors. These have a right to speak in a council of the chiefs. They can speak of their own motion without waiting to be
[562] asked by the chiefs. Women cannot speak in council.

Religious System

771 The Delawares believe in a Great Spirit,
[770] and in an Evil Spirit. They also believe in
[775] the immortality of the soul, and that they all went to heaven.

90A [For footnote, see category 116, p. 209(C)-- Analyst]

[p 55 (A)]

all went to heaven. They have one religious festival at which the Gum-win Dance is performed. This is the great religious dance. This is held once a year every fall, after the corn harvest is gathered. The festival lasts seven days. At this festival they have a number of old dances, which are still maintained among the Delawares. This Festival is called the Gum-win, from the dance. This is held for the purpose of returning thanks to the Great Spirit. They have a feast. Men, about 12, go out beforehand to hunt, and get game for the feast, particularly the deer. There is a class of persons whose business it is to appoint the time for holding this council, to prepare the feast, and supervise the business of the festival. They are both men and women, but Lemuel could not give me the name by which they are distinguished.

Marriage

Near relatives are not allowed to marry. First and second cousins are within the forbidden degrees; but third cousins under our system are allowed to marry. The names used by the several tribes are used in common. This seems to be the preferable conclusion. A young lad at the Mission told me that those of the same subdivision of the same tribe can intermarry if not too near of kin, but the fact is that they are all of near kin.

Succession of [Head] Chiefs

Upon the death of a head chief of the Turtle Tribe, the three other subdivisions meet in council to agree upon a successor who must be of the same subdivision of the tribe with the deceased, and is either a brother of the deceased or a sister's son. The second chief has the first speech, and the War Chief last, and enumerates the persons who

[p 55 (B)]

614 have expressed themselves in favor of the
622 person nominated. If they disagree, I have
not ascertained how it is adjusted. After the
623 person is agreed upon, then all the chiefs
meet in council and perform the ceremony
of investing him with his office.

622 The war chiefs are selected and made
such by the Head Chief without consulting
the people, but not so with the Head Chief.

241 The Delawares are very well advanced
as agriculturalists. When Mr. Pratt came
342 among them 12 years ago, as he informs me,
177 they were living in bark houses. Now many
of them are living in frame houses two
stories and 2½ stories high, some with a
veranda in front the whole length, and they
have good barns and outbuildings. Some of
231 them have herds of cattle from 25 to 100
422 and have from 5 to 20 swine, sheep, wagons,
and all kinds of farming implements. Their
future prospects are certainly very flatter-
ing if they push on as they have here. Their
648 women are interfered with a good deal by
563 the whites, and they are quick to marry
557 white husbands, as they seem to regard that
as advancing. It would be so were their hus-
bands respectable.

657 With their large annuity of $50,000 per
annum, the best timbered lands in the state,
and sufficient of them to give them all large
farms, there is no reason why they should
not become both agriculturalists and re-
spectable citizens of the state. When they
000 become wealthy farmers as some of them
now are, their children will intermarry re-
spectably with our white people, and thus
the children will become respectable and,
if educated, in the second and third gener-
ations will become beautiful and attractive.
This is to be the end of the Indian absorp-
tion of a small portion, which will improve
and toughen our race, and the residue run
out or forced into the regions of the moun-
tains.